THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.18400 of 2006

Dated: 04-09-2006

Between:

The Christian Welfare Society, Baptist Church, Jangaon,

..... PETITIONER

AND

The Joint Collector, Warangal District, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.18400 of 2006

ORDER:

This writ petition is filed challenging the notice dated 08-08-2006 issued by the Mandal Revenue Officer(MRO), Jangaon, calling upon the Secretary of the petitioner-society to return the pattadar passbook (PPB) and title deed issued in favour of the petitioner-society.

The petitioner-society claims to the absolute possessor of the land admeasuring 0.21 guntas in survey No.87/1 and Acs.5.19 guntas in Survey No.88/C situated at Jangaon town. MRO by proceedings dated 03-02-2001 issued mutation proceedings in favour of the petitioner-society incorporating its name in the revenue records. Now MRO issued the impugned order asking the petitioner-society to return PPB and title deed.

Heard the learned counsel for the petitioner-society and the learned Assistant Government Pleader for Revenue (General).

A perusal of the impugned order would show that as per the judgment of the Supreme Court of India dated 21-07-1989 in C.A.No.2098 of 1980, the petitioner-society has only possessory rights and no ownership rights. This was informed to MRO by the Joint Collector. Therefore, the proceedings dated 03-02-2001, whereby and whereunder favourable mutation proceedings issued, were cancelled. When those proceedings were cancelled, it is always permissible to MRO to make necessary endorsement on PPB and title deed and cancel them. In that view of the matter, the impugned order/notice does not suffer from any infirmity. If the petitioner is aggrieved, it may agitate the matter before the appropriate higher revenue official.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

04th September, 2006

ghn